

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, May 23, 2016

MINUTES

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

A regular meeting of the City Council of the City of Hidden Hills was duly held in the Council Chambers at the City Hall, 6165 Spring Valley Road, Hidden Hills, California 91302 on Monday, May 23, 2016 at the hour of 7:30 p.m. Mayor Jim Cohen called the meeting to order and presided thereover after leading the Council and audience in the Pledge of Allegiance.

ROLL CALL

Council:

Mayor Jim Cohen
Mayor Pro Tem Stuart E. Siegel
Council Member Steve Freedland
Council Member Larry G. Weber

Staff:

City Attorney Roxanne Diaz
City Treasurer Michael Blazenski
City Engineer Dirk Lovett
City Manager Cherie L. Paglia

Absent:

Council Member Marv Landon

Upon MOTION of Mayor Pro Tem Siegel, seconded by Council Member Freedland and unanimously carried, it was resolved to excuse the absence of Council Member Landon.

APPROVAL OF AGENDA

Upon MOTION of Council Member Freedland, seconded by Mayor Pro Tem Siegel and unanimously carried, it was resolved that the agenda for the May 23, 2016 regular meeting be approved as submitted.

ANNOUNCEMENTS

Mayor Cohen made the following announcements:

Happy belated Birthday to Council Member Marv Landon's wife Jill (5/20).

Our condolences to former Council Member Brian Herdeg and his family for the loss recently (5/2) of Brian's wife Bunny; they were long time residents of the City; there will be a wake to which everyone is invited this coming Sunday at the Black Marlin in Tustin from 6:00 p.m. - 10:00 p.m.

City Hall, the Building & Safety Department, and the Community Center will be closed and there will be no inspections on Monday, 5/30, in honor of Memorial Day.

Council Member Weber reported that he attended the opening of the new Metro line that has seven new stations from Culver City to the beach in Santa Monica. He added that one can now drive Topanga Canyon to the coast, get on the train, and take it to the Coliseum or to Dodger Stadium.

AUDIENCE

There were no questions or comments at this time.

PRESENTATIONS

A. Presentation to Outgoing Public Safety Commissioner Martin Zane

Public Safety Commission Chairman and Emergency Services Director Gabe Nussbaum spent some time thanking outgoing Public Safety Commissioner Martin Zane, who voluntarily chose to leave the Commission at the end of his term April 30th to pursue other activities. Chairman

Nussbaum also expressed gratitude to Commissioner Kim Ulrich, who was just reappointed to the Commission, and to James Keith Christian, who is a new appointment to the Commission.

Mayor Cohen, on behalf of the entire Council and staff, thanked Mr. Zane for his nine years of service as a Public Safety Commissioner, and then presented a City plaque to Mr. Zane, who was asked to say a few words.

B. Recognition of New Public Safety Commissioner James Keith Christian and Administration of Oath of Office by Judge Michael Harwin

Resident Judge Michael Harwin administered the oath of office to newly appointed Public Safety Commissioner James Keith Christian and to reappointed Public Safety Commissioner Kim Ulrich, both of whom then briefly addressed the Council to provide background information on themselves and their families. The Council thanked the Commissioners for their willingness to serve their community.

PUBLIC SAFETY

A. Los Angeles County Sheriff's Department Report - April

Lt. Christina Baker presented the following report:

April was an excellent month, with no crimes; one Los Angeles resident was arrested for driving on a suspended license; he was contacted by Deputies for a traffic violation; the subject's vehicle was stored and he was issued a citation; there was another traffic violation investigation on Hoback Glen whereby a Panorama City resident was arrested for possession of marijuana.

In response to Mayor Pro Tem Siegel, the City Manager reported that the accident a week ago Friday, in the middle of the afternoon, was listed as a vehicle vs. fire hydrant, and that the elderly woman involved was not injured. Mayor Pro Tem Siegel and Council Member Freedland were quite amazed at the damage to the vehicle, tree, fence, and fire hydrant.

B. Los Angeles County Fire Department Report - April

The following report was provided by Community Services Representative Maria Grycan:

April was rather uneventful, with 8 responses, which included 2 medical, 5 good intent, and 1 service call, which was a snake removal on Long Valley Road.

In response to questions from Council Members Weber and Freedland, Ms. Grycan stated that fire season never really did end, and that inspections have already started for brush clearance (the deadline for residents to clear their properties is May 1st), with the June numbers to be provided in the July report. She did say there was a fire in Lake View Terrace, which spread very quickly from 8 acres to approximately 150 acres, but it burned toward the forest and no structures were affected.

Ms. Grycan explained the following regarding fire hydrants:

they are inspected annually, with all of those in Hidden Hills being completed in February and March; the hydrants are opened and tested to make sure they work properly, and if not, the Water District is called to fix them; the Fire Department also responds to shut off water in the case of a hydrant being sheared off, but the Water District makes the repairs.

Emergency Services Director Gabe Nussbaum wondered why the concrete filled pipes (bollards) in front of hydrants (especially in the recent accident) do not stop vehicles, as he would expect those pipes to protect the hydrant. Ms. Grycan stated that was a Fire Prevention Bureau question, with Council Member Freedland pointing out that at high speeds, nothing is going to stop a vehicle.

CONSENT CALENDAR

- A. City Council Minutes - April 25, 2016**
- B. City Council Minutes - May 9, 2016**
- C. Demand List**
- D. Disbursement List - April**
- E. Financial/Treasurer's Report - April**

Upon MOTION of Mayor Pro Tem Siegel, seconded by Council Member Freedland and unanimously carried on roll call vote, it was resolved to approve items A (with Mayor Pro Tem Siegel abstaining on this item as he was not at the meeting), B, C, D and E of the consent calendar as submitted.

MATTERS FROM CITY COUNCIL MEMBERS

A. Quarterly Report from Schwab/Beacon Pointe/Belle Haven Regarding the City's Investments

Seth Gray, Vice President Financial Consultant at Schwab, stated that they value greatly the relationship with the City, and they are pleased to say that they are making progress in a very restrictive environment. He then asked David Hopkins, Beacon Pointe Advisors Senior Vice President, to provide some highlights regarding the City's investments. Mr. Hopkins stated the following:

the portfolio is in its infancy, but there has already been a change; one of the bonds was called, leaving Belle Haven with approximately \$600,000 on course to still be invested; this is a very restrictive interest rate environment; there are two factors to look at to see what a bond portfolio is doing - how are the bonds doing in terms of what the interest rates are doing, and what kind of coupon yield are they producing; when bonds are traded, they go into a secondary market; depending on the coupon yields, they trade at a premium or at a discount to par; Belle Haven's work is centered around buying bonds in the secondary market; Belle Haven/Matt Dalton would love a review of what they can do per the City's investment policy, as they feel they can get better results without compromising safety with taxable munibonds.

The Council Members and City staff pointed out that the investment policy was based on state law, but they would be willing to look at any specific recommended changes and be open to those changes, as long as they still complied with state law.

Mr. Hopkins had additional comments as follows:

Mr. Dalton is just trying to make the money work as hard as possible; we already have a very small duration, as no bond can go out more than five years; so the City's durations are about three years, in the middle by design; it's producing about \$65,000 in change in

current income, which will go up a bit when the rest of the cash is invested; the average coupon yield is 1.84, which doesn't sound like a lot, but that is where rates are right now; and with Belle Haven, there is no mark-up, so you get the pure coupon; that is why there is only a bit of difference between the 1.84 average coupon yield and the 1.4 net yield; the portfolio is well diversified, adhering to the investment policy, and doing great, even with the restrictions; Belle Haven has a ton of software programs which lets them zero in on availability and inventory, which is another good reason for doing a review of what can be bought per the investment policy; the pie chart of the portfolio shows roughly 53% in AAA bonds, 34% in AA, and 13% in A, as mandated; if we get the interest rate hikes that are expected, maybe one in July and most likely one in early fall, per the experts, the City's portfolio will capture that quickly.

City Treasurer Mike Blazenski pointed out that LAIF is currently paying .54%, so the 1.84% yield is obviously giving the City much better value.

Mayor Cohen asked for Mr. Dalton to provide a written request of exactly what he would like to do and how, and the City will certainly review that request to see if it fits into the requirements of the investment policy. Mr. Hopkins said he would share that request with Mr. Dalton, who would be very pleased to provide detailed information.

B. Las Virgenes Malibu Council of Governments - Update

The following information was provided by the COG's Executive Director Terry Dipple:

the COG has done a lot of good projects in the past, such as obtaining grants for Hazard Mitigation Plans, emergency services equipment, and a regional bike plan; the COG tries to select projects that will be of value to the cities, rather than getting distracted by things the COG cannot control; in 2008 the Los Angeles County voters approved Measure R, which resulted in Metro allocating \$175 million to the COG subregion (which includes unincorporated County) to be spent over 30 years [Mr. Dipple provided a Measure R Highway Funds summary to the Council]; the COG was very aggressive and put together a regional \$90 million project list, which was approved by Metro in 2009; each city had individual projects on this list, with the money being divided based on COG city population, so everyone would get their fair share; \$1 million allocated to Hidden Hills has been designated for improvements to the intersection at the 101 freeway onramp outside the Long Valley gate; due to the COG cities working closely together, this COG has already received \$121 million plus an additional \$7 million to be approved next month (a major portion of the money in less than 10 years of the 30 years); Metro is also

considering a potential ballot measure (frequently called Measure R2) that would add an additional 1/2 cent sales tax, that with the remaining Measure R funds would total approximately \$296 million over the term of Measure R2 if successful; the COG cities looked at their priorities for the future and compiled a list of projects that was submitted to Metro in the event the second measure would pass; Hidden Hills did not have another project at the time the list was submitted, but can still add a project if Measure R2 passes, or could still draw upon its remaining funds from Measure R; he is not advocating for the passage of Measure R2, just bringing the information to the Council; at the direction of the COG City Managers, he is also attending meetings and reporting on the CCA - Community Choice Aggregate; this involves the County possibly establishing a Joint Powers Authority (JPA) that individual cities could join, to purchase alternative energy; this is still unfolding, and he will continue to monitor the matter; eventually, it will be up to each city whether or not they wish to join the County JPA, or establish a JPA with other cities or on their own.

At this point, Council Member Freedland had some questions regarding the allocations to the different COG cities, and wanted to make sure that Hidden Hills was not losing any money due to the fact that there was no project listed for Measure R2. Mr. Dipple and Mayor Pro Tem Siegel explained the following:

the allocations to the COG cities from Measure R were based on the following populations: Agoura Hills - 20,300; Calabasas - 23,000; Hidden Hills - 1,800; Malibu - 12,600; Westlake Village - 8,300; and the County - 18,000; \$1 million is allocated and approved for the Hidden Hills Measure R project; however, Hidden Hills still has \$2.75 million available from Measure R, from the original allocation based on population; since the County did not have any projects they wished to complete from Measure R, some of the cities did use some of the allocated County money for their projects; the projects listed by the other cities for Measure R2, if it passes, are wish-list projects, with some cities exceeding what their actual allocation would be based on population; Hidden Hills is not giving up anything by not having a project currently listed on the Measure R2 wish list; if Measure R2 passes, money will be allocated to the COG, and then allocated by the COG to its individual cities, again based on population.

Mayor Pro Tem Siegel informed the Council that he is still trying to get the County to look at the Mureau Road bridge and the intersections on either side. He asked Mr. Dipple if any progress had been made in relation to this matter, with Mr. Dipple stating the following:

this item is still in limbo, but is on the radar and is being discussed; in relation to Council Member Freedland's questions, he would like to point out some additional information; when Measure R was first passed and the funds were allocated to the COG, some of the

cities felt that since they had bigger projects that were ready to go, those should be considered first; at that time, he told the City Managers that every COG Board Member needed to be able to go back to his Council and community and be able to say that city was getting its fair share; since Metro based the COG's allocation on population, it was only fair to base the allocations within the COG on population; however, each city would have the flexibility to spend its allocation in any way, and for any projects, without interference from the other cities; all the cities and the COG Board Members understand this, and it has worked well; so the funds allocated to Hidden Hills are protected and cannot be spent by another city.

Mayor Pro Tem Siegel pointed out that the biggest frustration for Hidden Hills, is that it is very hard to come up with projects that meet the requirements, which led to a short discussion during which the following points were made:

the City cannot sell its allocation of Measure R funds, but it might be possible to partner with another city in the COG on a project; the County area covers Topanga, but residents there do not want any projects in their area; the flyover bridge that was discussed some years ago (from Calabasas Road over the freeway to Mureau Road in the vicinity of Mt. View Estates) would cost approximately \$40 - \$50 million, and Calabasas is not really in favor of such a project anyway; no one will widen Mureau Road (which is only two lanes, one in each direction), due to trees, etc., so it really would do no good to widen the Mureau Road bridge or the area right in front of Mureau Estates, as it would just bottleneck heading into the rest of Mureau; since the Mureau Road bridge is so old, if anything were done to the bridge, Caltrans would require it to be upgraded to all the newest standards, again at a huge cost; this COG's cities were so ready to go with projects, that our subregion has already received, in the first eight years, 70% of the funds that were allocated to the COG to be spent over thirty years; at a recent County Mayors' meeting, some of the mayors were complaining about not getting their fair share of Measure R funds, and might be hesitant to support Measure R2; there are monthly meetings with Phil Washington, Metro CEO, and it does seem very likely that Metro will be placing Measure R2 on the ballot; however, there are going to be many items on the same ballot, which could affect passage of some of those items.

C. Discussion and Direction to Staff Regarding Filming Requirements

The Council and staff discussed the current filming requirements, and chose to make no changes to the existing filming ordinance; however, the Council felt staff needed to keep an eye out for any filming violations, to address those violations in the best way possible, and to make sure

information was shared with the Community Association, which does have more immediate enforcement powers as they are not subject to due process.

D. Report from 5/17/16 Hidden Hills Community Association Board of Directors Meeting

The following information was provided by Community Association Board Member and City liaison Bret Katz:

the Board spent a lot of time discussing construction hours in the City, with a large turnout of residents again; some of the residents were unhappy with the process and did not think the Board was acting quickly enough; this issue has been very challenging; they have been talking about limiting construction on Saturdays, and moving to a later start time on the week days; the Board continues to work on it, although he personally thinks this is going to take some time; Park West has been doing an excellent job; a lot of pepper trees (larger size boxes) have been planted in the community, which they believe will respond and grow more quickly than in the past, due to the experience of the arborist and their superior planting methods; the Board approved an amendment to the Architectural Standards regarding screen planting; front yard hedges/planting can only be 48" high (height of the 3-rail fence) so as not to obstruct the view of the house from the street; they arrived at no solution to the traffic issues at the gates, especially at Long Valley; a budget for the Kids Welcome Party was approved.

MATTERS FROM STAFF

A. Consideration of a Proposed Ordinance Regarding Noise Control - First Reading

City Attorney Roxanne Diaz reminded the Council that violations of the City's noise ordinance are called out as infractions in the Municipal Code, which are not much more than a parking ticket with a fine. The City Manager added that to currently enforce noise violations, the Sheriff has to use the penal code, making the violation a misdemeanor, but that requires a victim. The Sheriff provided sample ordinances and guidance to assist the City in drafting a new ordinance to make these violations misdemeanors per the City's Municipal Code, which gives the Sheriff more of an ability to help with enforcement when responding to noise complaints. Attorney Diaz pointed out that in drafting the new ordinance, she also added language making it clear that the Planning Director (or his designee) and/or the Sheriff can enforce violations. Upon MOTION of

Council Member Freedland, seconded by Mayor Pro Tem Siegel and unanimously carried, it was resolved to introduce and give first reading by title only to an ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS REGARDING NOISE CONTROL AND AMENDING TITLE 3 OF THE HIDDEN HILLS MUNICIPAL CODE.

B. Consideration of a Proposed Ordinance Regarding Unruly Assemblages - First Reading

City Attorney Roxanne Diaz explained that the current ordinance allows the City to bill a resident for a second Sheriff response to a loud party or unruly assemblage, but is not clear on the time period between the first and second or subsequent responses - does it mean a second response in the same night, or a week later, or even after more time has passed. She added that the proposed ordinance, modeled after an effective ordinance used by the City of Santa Clarita, would give the City the ability to bill any resident for a second Sheriff response (including all personnel and equipment) anytime within a year after the first response .

A short discussion followed, during which the following questions were raised and points made:

during the first response, would the Deputies be able to provide a door hanger or some type of notice (in triplicate to provide everyone with a copy) to the resident, explaining that they would have to pay for any additional responses within the next year; door hangers or notices have been used in other cities; since the Deputies create tags with an incident number for responses, these tags can easily be researched by address or type of call, so it would not be difficult to let the City know when and how many responses to a particular address have occurred; since some parties are very noisy, some are not, some occur often, others infrequently, sometimes the music is enjoyable, other times it is very disturbing - would this ordinance be fair to everyone; this not a new ordinance, but is just clarifying the time between responses that could result in the resident paying for that second response; the ordinance does have a reasonable person standard, but sometimes it's not always easy to tell who is reasonable; this is not a fine, and would not be an onerous cost, as it would be determined by the number of Sheriff personnel that respond, and how long they are there, etc. (the actual costs involved); a first call is usually answered by one two-man car, while the second response is one radio car and a Sergeant, unless it is a raging party that may need to be shut down, and then multiple units are sent;

why should the whole community pay for the Sheriff's time for those few who have wild or frequent parties; the City does not get that many noise complaints, as those having parties with music often invite the neighbors, or have even been known to give the neighbors a night out in a hotel or provide some other type of gift; Sheriff personnel always have some discretion when conducting their duties, so if they respond a first or second time and there does not seem to be a problem with loud noise or music, they do not have to take any action; on the other hand, if a party or assemblage gets out of hand, they can certainly make the decision to shut it down.

As there was no further discussion, upon MOTION of Council Member Freedland, seconded by Mayor Pro Tem Siegel and unanimously carried, it was resolved to introduce and give first reading by title only to an ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS REGARDING UNRULY ASSEMBLAGES AND AMENDING TITLE 4 OF THE HIDDEN HILLS MUNICIPAL CODE.

C. Consideration of Approval of the 2016 Fiesta Budget

This item was continued until the next Council meeting on June 13th.

D. Consideration of Approval of Proposal from A Rental Connection for Rentals of Tables/Chairs, Electricity/Lights, and Other Miscellaneous Equipment for the 2016 Fiesta, and Payment of \$2,500 Deposit

Upon MOTION of Council Member Freedland, seconded by Council Member Weber and unanimously carried on roll call vote, it was resolved to approve the proposal from A Rental Connection in the amount of \$17,025.40 for the rental of tables/chairs, electricity/lights, and other miscellaneous equipment for the 2016 Fiesta, and to approve the payment of a deposit of \$2,500.

E. Consideration of Approval of Amendment to Agreement with All City Management Services for Crossing Guards at Round Meadow School for the 2016-2017 School Year

The City Manager pointed out that the company was again placing a price freeze on the billing rate for the upcoming 2016-2017 fiscal year. Upon MOTION of Council Member Freedland, seconded by Mayor Pro Tem Siegel and unanimously carried on roll call vote, it was resolved to approve the Amendment to Agreement between All City Management Services, Inc. and the City of Hidden Hills for Providing School Crossing Guard Services at Round Meadow School for the fiscal year beginning July 1, 2016 through June 30, 2017 at a cost of not-to-exceed \$33,604.20, based on three crossing guards working a total of 10.5 hours/day for 180 school days at \$17.78 per hour.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL:

**A. Potential Initiation of Litigation Pursuant to Government Code Section 54956.9(c):
Number of Potential Cases: 1**

**B. Existing Litigation Pursuant to Government Code Section 54956.9(d)(1):
Number of Cases: 2**

Natural Resources Defense Council, Inc., et al, v. State Water Resources Control Board, et al., Case No. BS156962

City of Gardena v. Regional Water Quality Control Board, et al., Case No. 30-2016-00833722-CU-WM-CJC

Upon MOTION of Council Member Freedland, seconded by Council Member Weber and unanimously carried, it was resolved to adjourn to closed session at 9:05 p.m. to address the items listed above, as read by City Attorney Roxanne Diaz.

Upon MOTION of Mayor Pro Tem Siegel, seconded by Council Member Weber and unanimously carried, it was resolved to return to open session at 9:42 p.m., at which time City Attorney Diaz announced that in closed session the Council discussed the items listed above, and that no reportable action was taken.

ADJOURNMENT

There being no further business to come before the Council, upon MOTION of Council Member Freedland, seconded by Council Member Weber and unanimously carried, it was resolved to adjourn the regular meeting of May 23, 2016 at 9:43 p.m.

Jim Cohen, Mayor

ATTEST:

Cherie L. Paglia, City Manager